

IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF TEXAS
BEAUMONT DIVISION

ERIC DEMOND LOZANO §
VS. § CIVIL ACTION NO. 1:23-CV-68
BRYAN COLLIER, ET AL. §

**ORDER OVERRULING PLAINTIFF'S OBJECTIONS AND ADOPTING
THE MAGISTRATE JUDGE'S REPORT AND RECOMMENDATION**

Plaintiff Eric Demond Lozano, a prisoner confined at the LeBlanc Unit of the Texas Department of Criminal Justice, Correctional Institutions Division (TDCJ-CID), proceeding *pro se* and *in forma pauperis*, filed this civil rights action pursuant to 42 U.S.C. § 1983 against Bryan Collier, David Goldstein, Darlene TreJo, Douglas Sparkman, and Jamie L. Taylor.

The Court ordered that this matter be referred to a United States Magistrate Judge for consideration pursuant to applicable laws and orders of this Court. On August 25, 2023, the magistrate judge recommended denying Plaintiff's motion for injunctive relief. Plaintiff filed objections to the Magistrate Judge's Report and Recommendation.

The Court has conducted a *de novo* review of the objections in relation to the pleadings and the applicable law. *See* FED. R. CIV. P. 72(b). After careful consideration, the Court concludes the objections are without merit. Plaintiff is not entitled to injunctive relief because he has not shown a substantial likelihood that he will prevail on the merits of his claims.

ORDER

Accordingly, Plaintiff's objections [Dkt. 17] are OVERRULED. The findings of fact and conclusions of law of the Magistrate Judge are correct, and the report of the Magistrate Judge

[Dkt. 15] is ADOPTED. Plaintiff's Motion for Preliminary Injunction and Temporary Restraining Order [Dkt. 4] is DENIED.

SIGNED this 20th day of September, 2023.



Michael J. Truncale
United States District Judge